

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZUBEARU BETTIS

Plaintiff,

-v.-

OFFICER GRIJALVA et al.,

Defendants.
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X

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X

ORDER

21 Civ. 7505 (GWG)

GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

The plaintiff has filed an Amended Complaint along with an explanatory letter (Docket ## 67 and 68). The Court will consider the filing to be timely. The Government shall respond to the Amended Complaint on or before October 13, 2023. If the Government seeks to move to dismiss, the Court's pre-motion conference requirement is waived.

If the Government files a motion, plaintiff's response shall be due November 13, 2023. Any reply shall be due December 4, 2023. To the extent the Government intends to refer to material outside the Amended Complaint to support its motion, it shall move in the alternative for summary judgment and shall include a statement under Local Rule 56.1 that explains exactly what facts it relies on to support the motion. Plaintiff is warned that if he believes any facts in the Local Rule 56.1 Statement are untrue, he must supply an affidavit or declaration under oath in support of his contentions as to those facts.

SO ORDERED.

Dated: September 13, 2023
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge